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Deliver to: Wu, Xiao Min, USPTO Art Group: 2674  
 Facsimile No.: (571) 273-8300 Date: November 1, 2005  
 From: Gregory D. Caldwell, Reg. No. 39,926  
 Our Docket No.: 42P10978 Number of pages 2 including this sheet.  
 Application No.: 09/966,519 Filing Date: 9/28/2004  
 Docket Due Date(s): 11/9/2005

Enclosed are the following documents:

- |  |   |
|--|---|
| <input type="checkbox"/> Amendment: _____ ( ____ pgs)            | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( ____ pgs)                | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: _____                      | <input type="checkbox"/> Petition for: _____                                      |
| ( ____ pgs) w/cover & abstract                                   | <input checked="" type="checkbox"/> Request for Continued Examination (RCE)       |
| <input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)    | <input type="checkbox"/> Reply Brief ( ____ pgs)                                  |
| <input checked="" type="checkbox"/> Certificate of Facsimile     | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( ____ pgs)           | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: ____ sheets, ____ figures     | <input type="checkbox"/> Response to Written Opinion ( ____ pgs)                  |
| <input type="checkbox"/> Extension of Time: _____                | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> Fee Transmittal (in duplicate)          | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( ____ pgs)             | <input type="checkbox"/> Transmittal Letter                                       |
| <input type="checkbox"/> Other _____                             |   |

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 Gayle Bekish

11/1/2005

Date

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450

Application No.	09/966,519
Filing Date	September 28, 2004
First Named Inventor	David Wyatt
Art Unit	2674
Examiner Name	Wu, Xiao Min
Attorney Docket Number	42P10978

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 9/26/05  
(Any unentered amendment(s) referred to above will be entered).
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☐ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666.
    - ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
    - ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
    - ☐ Other: (\$00)
  - ☐ Check in the amount of \$790.00 enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gregory D. Caldwell	PAUL A. MENDONCA	Registration No. (Attorney/Agent)	39,926 42,879
Signature			Date	November 1, 2005

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November 1, 2005

Name (Print/Type)	Gayle Bekish	Date	November 1, 2005
Signature			

Based on PTO/USB/30 (09-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 02/10/2004).  
SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450